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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 18th Day of June 1998

BEFORE

THE HON'BLE MR. JUSTICE CHANDRASHEKARAIHAH

WRIT PETITION NO.29679/1997

Between:

Sri.N.Balu,
S/o.late Natarajan,
aged about 45 years,
R/at No.64,
(Old No.21/2),
Sathyaranarayana
Temple Street,
Ulsoor,
Bangalore - 560 008.

...PETITIONER

(By Sri.P.K.Ponnappa, Adv.)

And:

1. The Commissioner,
Bangalore City
Corporation, N.R.Road,
Bangalore - 560 002.
2. The Secretary,
Karnataka Pollution
Control Board,
Public Utility
Buildings, M.G.Road,
Bangalore - 1.
3. Sri.Tulasiram,
Proprietor,
M/S.Overseas Welding,
Premises No.21/3,
Sathyanarayana Temple
Street, Ulsoor,
Bangalore - 560 008.

732

4. Sri.Gunasundaram,
No.21/3, Sathyanarayana
Temple Street, Ulsoor,
Bangalore - 560 008.

...RESPONDENTS

(By Sri.K.N.Puttegowda, Adv. for R-1,
Sri.S.Ratnamala, Adv. for R-2,
Sri.M.A.Hamayan, Adv. for R-4)

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This Writ Petition is filed under Article 226 of the Constitution of India with a prayer to direct the respondent to issue the Certified Copy of the licence issued in favour of the R-3.

This Writ Petition coming on for orders this day, the Court made the following:-

O_R_D_E_R

This Writ Petition can be disposed of without notice to the 3rd respondent. Hence notice to the 3rd respondent is dispensed with.

2. The petitioner in this Writ Petition has sought for a direction to the respondents to issue certified copy of the licence issued in favour of the 3rd respondent. To-day, the petitioner along with an application has produced the copy of the application filed by him before the Commissioner,

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Bangalore City Corporation dated 15.09.1997
for the certified copy of the licence granted
in favour of the 3rd respondent. When an
application is filed for a certified copy of
the licence, there is no reason for the Corpo-
ration to deny the same.

3. The 2nd prayer in the Writ Petition
is for a direction to withdraw the licence
issued in favour of the 3rd respondent. The
petitioner has not produced the copy of the
licence issued in favour of the 3rd respondent.
^{Further} ~~therefore~~, if at all if the petitioner is aggrieved
of the grant of licence it is open for the petitioner
to challenge the said licence in an appropriate
forum, ^{by way of} ~~on by way of filing the Writ Petition~~ In
the absence of non-production of licence, no relief
can be granted on this prayer. In the result, I
pass the following order:

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134

4. The Writ Petition is allowed in part.

A direction is issued to the respondent-Corporation to furnish the certified copy of the licence granted in favour of the 3rd respondent if the petitioner pays the required amount for issuance of the certified copy as expeditiously as possible.



Sd/-
JUDGE

sps/-